

**Remarks**

Reconsideration of this Application is respectfully requested. Upon entry of the foregoing amendment, claims 1-16 and 22-51 are pending in the application, with claims 1, 7, 22, 27, 30, 34, 39, 40, 41 and 44 being the independent claims.

Based on the above amendment and the following Remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and they be withdrawn.

***Claim Rejections under 35 U.S.C. 103***

Claims 1-16 and 22-45 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese Publication JP 2001-004961 to Kazuyoshi (“the Kazuyoshi publication”). Applicants submit that independent claims 1, 7, 22, 27, 30, 34, 39, 40, 41 and 44 are allowable, and their dependent claims are likewise allowable for the reasons discussed below.

**Independent claims 1 and 34, and their dependent claims**

The present invention, as recited by independent claim 1, includes a face, a first lens, a second lens and a temple. A center region of the lens has “its own surface area one half of the surface area of the outer side of the lens” and is “centered around the center point.” In addition, “at least a portion of the center region” is “disposed between at least a portion of the inner side of the lens and at least a portion of the temple while in the folded configuration.” For example, Figure 5 shows central regions 141 and 151; Figure 9 shows central regions 241 and 251; and Figure 13 shows central regions 341 and 351. Additionally, “at least a portion of the outer side of the second lens [is] disposed between the inner side of the second lens and the temple.”

The Kazuyoshi publication shows eyeglasses that include a pair of temples and a pair of lenses. When the temples are moved to their collapsed configuration, the temples are each positioned adjacent the outside of one respective lens and adjacent the inside of the other respective lens. The Kazuyoshi publication fails to teach or suggest that at least

a portion of the outer side of the both lenses are disposed between the inner side of each lens and the temple as recited in independent claim 1.

Thus, the invention as recited by independent claim 1 and its dependent claims is not disclosed in or suggested by the Kazuyoshi publication.

The present invention, as recited by independent claim 34, includes positioning a temple so that “at least a portion of an interior portion of the outer side of the first lens” is “disposed between at least a portion of the inner side of the first lens and at least a portion of the temple while in the folded configuration.” The interior portion of the lens has “its own surface area one half of the surface area of the outer side of the lens.” The interior portion is “centered around the center point” of the lens. Additionally, “at least a portion of the outer side of the second lens is disposed between the inner side of the second lens and the temple.”

As discussed above, the Kazuyoshi publication fails to disclose positioning the temple so that at least a portion of the outer side of each lens is disposed between the inner side of each lens and the temple. Thus, the invention as recited by independent claim 34 and its dependent claims is not disclosed in or suggested by the Kazuyoshi publication.

#### Independent claims 7 and 30, and their dependent claims

The present invention, as recited by independent claim 7, includes a first temple defining an inner surface, a face having an outer edge, a first lens opening and a second lens opening. Independent claims 7 recites “at least a portion of the outer side of the first lens opening portion being disposed between the inner side of the first lens opening portion and the first temple while in the folded configuration, and the second lens opening portion being disposed between the inner side of the second lens opening portion and the first temple while in the folded configuration.”

The Kazuyoshi publication, however, fails to disclose such a configuration. The Kazuyoshi publication shows frameless eyeglasses that include a pair of temples and a pair of lenses. When the temples are moved to their collapsed configuration, the temples are each positioned adjacent the outside of one respective lens and adjacent the inside of the other respective lens (i.e., one temple is positioned outside of a first lens and inside a second lens). The Kazuyoshi publication fails to teach or suggest “at least a portion of the

outer side of the first lens opening portion being disposed between the inner side of the first lens opening portion and the first temple while in the folded configuration, and the second lens opening portion being disposed between the inner side of the second lens opening portion and the first temple while in the folded configuration” as recited in independent claim 7.

Thus, the invention as recited by independent claim 7 and its dependent claims is not disclosed in or suggested by the Kazuyoshi publication.

The present invention, as recited by independent claim 30, includes pivoting a temple “over the outer edge of the face without obstruction.” The claim further recites that “at least a portion of the outer side of the second lens is disposed between the inner side of the second lens and a portion of the temple while in the folded configuration.”

As discussed above, the Kazuyoshi publication fails to disclose pivoting a temple so that “at least a portion of the outer side of the second lens is disposed between the inner side of the second lens and a portion of the temple while in the folded configuration.” Thus, the invention as recited by independent claim 30 and its dependent claims is not disclosed in or suggested by the Kazuyoshi publication.

#### Independent claim 22 and its dependent claims

The present invention, as recited by independent claim 22, includes a temple and a face having an elevated structure disposed on the outer surface of the face. The temple in the folded configuration is “removably *retained* by the elevated structure.” (Emphasis added).

The Kazuyoshi publication fails to disclose or suggest such a configuration. The figures of the Kazuyoshi publication illustrate that each temple is retained by virtue of their position behind a respective lens as illustrated in Figures 2 and 3, rather than by an elevated structure as recited. The Kazuyoshi publication does not disclose or suggest any elevated structure disposed on the face whatsoever that is configured to retain either of the temples. Thus, the invention as recited by independent claim 22 and its dependent claims is not disclosed or suggested by the Kazuyoshi publication.

Independent claim 27 and its dependent claims

The present invention, as recited by independent claim 27, includes a face, a temple and a tension member coupled to the temple and the face. The temple is “pivotably coupled to the first end portion of the face about a pivot axis.” The tension member is “configured to bias the temple relative to the face” while in either the folded configuration or the unfolded configuration.

The Kazuyoshi publication fails to disclose a tension member coupled to the temple and the face. Moreover, the temple of the Kazuyoshi publication is slidably coupled to the face. In fact, such a sliding configuration does not disclose or suggest a tension member as recited in claim 27. The Kazuyoshi publication does not disclose a temple, a face and a tension member as recited in claim 27. Thus, for at least these reasons, the invention as recited by independent claim 27 and its dependent claims is not disclosed or suggested by the Kazuyoshi publication.

Independent claim 39

The present invention, as recited by independent claim 39, includes sliding a temple through the end portion of the face, and positioning the temple such that “the outer side of the first lens is disposed between the inner side of the first lens and the temple while in the folded configuration, and at least a portion of the outer side of the second lens is disposed between the inner side of the second lens and the temple while in the folded configuration.”

The Kazuyoshi publication fails to disclose or suggest such a configuration. As discussed above, the Kazuyoshi publication fails to disclose or suggest a configuration in which the temple is positioned so that “the outer side of the first lens is disposed between the inner side of the first lens and the temple while in the folded configuration, and at least a portion of the outer side of the second lens is disposed between the inner side of the second lens and the temple while in the folded configuration.”

Thus, the invention as recited by independent claim 39 is not disclosed in or suggested by the Kazuyoshi publication.

Independent claims 40, 41 and 44 and dependent claim 45

The present invention, as recited by independent claims 40, 41 and 44, includes a first lens, a second lens and a temple, where “at least a portion of the outer side of the second lens being disposed between the inner side of the second lens and the temple.”

As discussed above, the Kazuyoshi publication fails to disclose a configuration in which “at least a portion of the outer side of the second lens being disposed between the inner side of the second lens and the temple.” Thus, the invention as recited by independent claims 40, 41 and 44, and dependent claim 45 is not disclosed in or suggested by the Kazuyoshi publication.

***Conclusion***

The rejections have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider the presently outstanding rejection and that it be withdrawn. Applicants believe that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that further personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Dated: June 19, 2003

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Respectfully submitted,  
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